

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

Defendant.

)
)
) Case No. 1:06CV00011
)
)
) **FINAL JUDGMENT**
)
)
) By: James P. Jones
) Chief United States District Judge
)
)

1. The defendant's objections are overruled;
2. The magistrate judge's report and recommendations are accepted;
3. The motions for summary judgment by the parties are denied and the Commissioner's decision is vacated;
4. The case is **REMANDED** to the Commissioner pursuant to the fourth sentence U.S.C. § 405(g) for further consideration of the plaintiff's mental residual functional capacity and resulting ability to work; and
5. The clerk is directed to close the case.

Chief United States District Judge